IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6933 of 2004

Office Note, Office Memoranda of Coram appearance, Corut's orders or directions and Registrar's Orders:

Court's or Judge's Orders

Mr. N.V. Bandiwadekar, for the Petitioner
Mrs.S.S. Bhende, A.G.P. for Respondents

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 1st March, 2005

P.C.

. Rule. Heard forthwith.

2. The grievance of the petitioner is that his O.A. could not have been rejected as merely because there were subsequent transfers which has not been challenged by amending the O.A. It is pointed out that there was stay granted and had the petitioner been given an opportunity he could have amended the O.A. to challenge the subsequent orders of transfer. It is his contention that the main challenge was to the transfer order dated 13th September, 2003. Even if the petitioner thereafter been transferred the issue before the Tribunal would be whether the first transfer to P.I. (Police Welfare) Satara, was legal. Considering that we set aside the order dated 11th June, 2004. The learned Tribunal to consider the application for amendment of the O.A., if made by the petitioner within four weeks from

today and thereafter to pass appropriate orders according to law. Rule made absolute accordingly. No order as to costs.

. Personal Secretary of this Court to issue authenticated Copy of this order to the parties.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)